



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special City Council Meeting Advisory Board/Commission Applicant Interview

February 11, 2014

### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:00 p.m. in the Heredia Room.

### ROLL CALL

**MEMBERS PRESENT:** Debbie Goettel, Mayor; Pat Elliott, Sue Sandahl; Edwina Garcia; and Tom Fitzhenry.

### INTERVIEW OF APPLICANTS

The City Council conducted an interview of the following applicant for appointment to a City Advisory Board and Commission:

Crystal Brakke

### ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:09 p.m.

Date Approved: February 25, 2014.

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Debbie Goettel  
Mayor

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Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager



# CITY COUNCIL MINUTES

Richfield, Minnesota

## Special City Council Worksession

February 11, 2014

### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:15 p.m. in the Heredia Room.

### ROLL CALL

*Council Members Present:*

Debbie Goettel, Mayor, Pat Elliott; Edwina Garcia, Sue Sandahl and Tom Fitzhenry.

*Staff Present:*

Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Kristin Asher, Assistant Public Works Director; Pam Dmytrenko, Assistant City Manager; Jeff Pearson, Transportation Engineer; and Cheryl Krumholz, Executive Coordinator.

#### Item # 1

#### DISCUSSION REGARDING COMMUNITY BRANDING (COUNCIL MEMO NO. 18)

City Manager Devich discussed the 're-branding' of the Richfield Tourism Promotion Board, in cooperation with the Richfield Chamber of Commerce. He continued that it appeared to be good business sense to join with these two organizations on their first phase of the branding exercise. He stated that a unified approach by the business community and the City would provide a strong base for updating the City's image and attractiveness to business, development and potential new residents.

Angie Schaeftbauer, Richfield Chamber of Commerce, discussed the Phase I process of the branding exercise.

The City Council was supportive of proceeding with the partnership.

#### Item # 2

#### DISCUSSION REGARDING PORTLAND AVENUE RECONSTRUCTION (COUNCIL MEMO NO. 15)

Transportation Engineer Pearson and Jack Broz, consultant, presented information regarding the Portland Avenue Reconstruction Project including public feedback from the January 22, 2014 open house, proposed concepts, potential right of way impacts and roadway alignment options.

Public Works Director Eastling stated staff is requesting direction on how to proceed with roadway alignments and the potential right of way impacts so that preliminary design can be completed in the spring.

The City Council consensus was to proceed with the alignment that resulted in the least amount of right of way impacts.

**ADJOURNMENT**

The meeting was adjourned by unanimous consent at 6:55 p.m.

Date Approved: February 25, 2014

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Debbie Goettel  
Mayor

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Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

## Richfield, Minnesota

### Regular Meeting

**February 11, 2014**

#### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m.

#### ROLL CALL

*Members Present:* Debbie Goettel, Mayor; Edwina Garcia; Sue Sandahl; Pat Elliott, and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager; John Stark; Community Development Director; Mike Eastling, Public Works Director; Todd Sandell, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Jeff Pearson, Transportation Engineer; Pam Dmytrenko, Assistant City Manager; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

#### OPEN FORUM

Mac Walters, 2626 East 82<sup>nd</sup> Street, Bloomington, MN, owner of 6821 Cedar Avenue, addressed the City Council regarding locating a residential home care for elderly adults facility at this location. He stated there are zoning issues that he hopes will be on a future City Council agenda to discuss potential zoning changes.

Roger Ose, 6824-10<sup>th</sup> Avenue, addressed the City Council with concerns regarding having multiple garbage truck traffic and street damage. He suggested one garbage truck contractor.

#### PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

#### APPROVAL OF MINUTES

M/Garcia, S/Fitzhenry to approve the minutes of the (1) Special City Council Worksession of January 28, 2014; (2) Regular City Council Meeting of January 28, 2014; (3) Special City Council Worksession of January 29, 2014; and (4) Special City Council Worksession of January 31, 2014.

Motion carried 5-0.

<b>Item #1</b>	<b>PRESENTATION OF THE OFFICER OF THE YEAR 2013 AWARD TO RICHFIELD POLICE OFFICER SEAN MAJEWSKI</b>
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Public Safety Director Sandell presented the award.

<b>Item #2</b>	<b>RECOGNITION OF JIM KUNZ WHO IS RETIRING FROM THE POLICE RESERVES AFTER 50 YEARS OF SERVICE</b>
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Public Safety Director Sandell presented the Certificate of Recognition.

<b>Item #3</b>	<b>SWEARING-IN OF RICHFIELD POLICE OFFICERS ANDREW LEYRER, ALEX BLAINE AND MATHEW SWANSON</b>
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Public Safety Director Sandell administered the oaths of office.

<b>Item #4</b>	<b>COUNCIL DISCUSSION</b> <ul style="list-style-type: none"><li>• Hats Off to Hometown Hits</li></ul>
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Mayor Goettel requested the social service agencies funded by the City be invited to attend a future City Council meeting to make a brief presentation on the services they provide.

Council Member Fitzhenry discussed the Fire Department's use of SnowCrew, a web-enabled crowd source application to assist people with removing snow from fire hydrants.

Council Member Fitzhenry acknowledged the success of the recent Taft Lake Fishing Bowl.

Council Member Sandahl acknowledged the Richfield Sun featuring a Richfield resident who is participating in the Winter Olympics in Sochi.

Council Member Sandahl announced the Sweet Streets lane conversion open house on February 19, 2014.

Council Member Sandahl announced the February 13, 2014 Richfield Town Hall Meeting with Senator Melissa Wiklund and Senate Majority Leader Tom Bakk.

Council Member Garcia announced the VEAP open house on February 28, 2014 at their new location, 9600 Aldrich Avenue.

<b>Item #5</b>	<b>COUNCIL APPROVAL OF AGENDA</b>
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Mayor Goettel moved Consent Calendar Items 6E and 6F to Item 7 for separate consideration.

M/Fitzhenry, S/Garcia to approve the agenda, as amended.

Motion carried 5-0.

<b>Item #6</b>	<b>CONSENT CALENDAR</b>
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- A. Consideration of the approval of setting a public hearing to be held on March 11, 2014, for the consideration of new on-sale wine and 3.2 percent malt liquor licenses for Tejaban Mexica Grill, LLC, D/B/A Fire Up Bar-B-Que, 2 West 66<sup>th</sup> Street S.R. No. 35
- B. Consideration of the approval of the first reading of an ordinance amending Subsection 210.01 related to City Council salaries and schedule the second reading for February 25, 2014 S.R. No. 36
- C. Consideration of the approval of a resolution of support for the final alignment of the Intercity Regional Trail as recommended by the Transportation Commission S.R. No. 37

#### RESOLUTION NO. 10912

#### RESOLUTION OF SUPPORT FOR THE INTERCITY REGIONAL TRAIL FINAL ALIGNMENT

This resolution appears as Resolution No. 10912.

- D. Consideration of the approval of the purchase orders to Nelson Auto Center in the amount of \$106,387.28 for four new Ford Interceptor SUV's S.R. No. 38
- E. Moved to Item 7.
- F. Moved to item 7.
- G. Consideration of the approval of the acceptance of grants and donations received by the Richfield Recreation Services Department and to authorize the city to administer the funds in accordance with the grant agreements and terms prescribed by the donors S.R. No. 41

#### RESOLUTION NO. 10914

#### RESOLUTION AUTHORIZING ACCEPTANCE OF GRANTS RECEIVED BY THE CITY OF RICHFIELD-RECREATION SERVICES DEPARTMENT AND TO AUTHORIZE THE CITY TO ADMINISTER THE FUNDS IN ACCORDANCE WITH GRANT AGREEMENTS AND TERMS PRESCRIBED BY DONORS

This resolution appears as Resolution No. 10914.

M/Goettel, S/Garcia to approve the Consent Calendar, as amended.

Motion carried 5-0.

<b>Item #7</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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#### **Item 7A – Former Item 6E - Consideration of the approval of the modifications to the Transportation Commission's bylaws to modify the date the commission meets S.R. No. 39**

Council Member Sandahl presented Staff Report No. 30.

Council Member Sandahl questioned if the City Council was required to approve changes to commission by-laws.

City Attorney Tietjen explained that City Council approval is not legally required to approve a change in commission by-laws but it may be a good practice.

M/Sandahl, S/Fitzhenry to approve the modifications to the Transportation Commission's bylaws to modify the date the commission meets.

Motion carried 5-0.

#### **Item 7B – Former Item 6F - Consideration of the approval of a resolution declaring Veterans Memorial Park as the future site of a Community Band Shell S.R. No. 40**

Council Member Garcia presented Staff Report No. 40.

Council Member Garcia expressed support for the resolution declaring Veterans Park as the future site of a Community Band Shell. She discussed the premier features of Veterans Park and funding options, including philanthropic opportunities. She stated the Lyndale Garden Center space for a band shell did not belong to the City so there would be no ability to raise funds.

Council Member Garcia stated the decision on the site of a community band shell is a City Council policy decision, not a staff decision. She encouraged public feedback on this project.

Council Member Fitzhenry stated he could not recommend Veterans Park as the site for the band shell because it is located under an airplane flight departure path and there are noise concerns.

Council Member Sandahl expressed support for the resolution because Veterans Park and the Lyndale Garden Center were both tested for airport noise and the garden center was worse.

Mayor Goettel stated the Veterans Park site was supported by the majority of people. She added that this site has good parking.

Council Member Elliott agreed with the concerns about airport noise and stated he could not recommend Veterans Park as the best place for a band shell.

M/Garcia, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10913

RESOLUTION DECLARING VETERANS MEMORIAL PARK AS THE FUTURE SITE OF A  
COMMUNITY BAND SHELL

Motion carried 3-2. (Fitzhenry and Elliott oppose) This resolution appears as Resolution No. 10913.

Item #8	<b>PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION GRANTING FINAL APPROVAL OF A PRELIMINARY AND FINAL PLAT FOR 6700, 6710, 6734, 6754, AND 6758 PORTLAND AVENUE (RICHFIELD MUNICIPAL CENTER AND HEREDIA PARK) S.R. NO. 42</b>
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Council Member Garcia presented Staff Report No. 42.

M/Garcia, S/Goettel to close public hearing.

Motion carried 5-0.

M/Garcia, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10915

RESOLUTION GRANTING FINAL APPROVAL OF  
A PRELIMINARY AND FINAL PLAT FOR  
6700, 6710, 6734, 6754, AND 6758 PORTLAND AVENUE  
(RICHFIELD MUNICIPAL CENTER AND HEREDIA PARK)

Motion carried 5-0. This resolution appears as Resolution No. 10915.

<b>Item #9</b>	<b>CONSIDERATION OF A RESOLUTION GRANTING AN AMENDMENT TO THE APPROVED PLANNED UNIT DEVELOPMENT, FINAL DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT AT 100 WEST 66<sup>TH</sup> STREET (HUB SHOPPING CENTER) TO ALLOW A PUBLIC SCHOOL S.R. NO. 43</b>
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Mayor Goettel presented Staff Report No. 43.

Representatives of the Flex Academy described the school's operation and structure.

M/Goettel, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

**RESOLUTION NO. 10916**

**RESOLUTION APPROVING AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT, FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT TO ALLOW A PUBLIC SCHOOL FACILITY WITHIN THE "HUB" SHOPPING CENTER AT 100 WEST 66TH STREET WEST**

Motion carried 5-0. This resolution appears as Resolution No. 10916.

<b>Item #10</b>	<b>CONSIDERATION OF:</b> <ul style="list-style-type: none"><li>• <b>THE BID MINUTES/TABULATION AND AWARD OF CONTRACT TO NORTHWEST ASPHALT, INC. IN THE AMOUNT OF \$652,833.04 FOR THE NORTH RICHFIELD PARKWAY PROJECT;</b></li><li>• <b>AUTHORIZING THE CITY MANAGER TO APPROVE CONTRACT CHANGES UNDER \$100,000 WITHOUT FURTHER CITY COUNCIL AUTHORIZATION; AND</b></li><li>• <b>THE HIRING OF WSB &amp; ASSOCIATES TO PERFORM CONSTRUCTION ENGINEERING SERVICES FOR A FEE NOT TO EXCEED \$96,389 S.R. NO. 44</b></li></ul>
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Council Member Fitzhenry presented Staff Report No. 44.

Public Works Director Eastling explained that the demolition and/or moving of the homes was delayed due to the weather but it should begin soon.

Council Member Elliott asked if change orders were anticipated since the City Manager has the authorization to approve contract changes under \$100,000.

Transportation Engineer Pearson explained that there is an anticipated increase in construction costs related to the delay in obtaining easement documents to realign the north access to the retail center from the multiple parties involved (Home Depot, Target and Ryan Companies).

Public Works Director Eastling added that there are unexpected issues that arise in projects.

City Attorney Tietjen explained that the City Manager's maximum amount to approve without City Council authorization is \$100,000 based upon the City Charter.

M/Fitzhenry, S/Goettel to approve the bid minutes/tabulation and award of contract to Northwest Asphalt, Inc. in the amount of \$652,833.04 for the North Richfield Parkway Project; to authorize the City Manager to approve contract changes under \$100,000 without further City Council authorization; and to hire WSB & Associates to perform construction engineering services for a fee not to exceed \$96,389.



Motion carried 5-0.

<b>Item #11</b>	<b>CONSIDERATION OF THE LYNDALE AVENUE “FULL IMPROVEMENTS” PRELIMINARY PLAN AS RECOMMENDED BY THE TRANSPORTATION COMMISSION S.R. NO. 45</b>
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Council Member Elliott presented Staff Report No. 45.

M/Elliott, S/Garcia to approve the Lyndale Avenue “Full Improvements” Preliminary Plan as recommended by the Transportation Commission.

Motion carried 5-0.

<b>Item #12</b>	<b>CONSIDERATION OF AN APPOINTMENT TO A CITY ADVISORY COMMISSION S.R. NO. 46</b>
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Council Member Sandahl presented Staff Report No. 46.

M/Sandahl, S/Garcia to appoint the following person to a City Advisory Commission:

COMMUNITY SERVICES COMMISSION

<u>Name</u>	<u>Term Expires</u>
Crystal Brakke	January 31, 2017

Motion carried 5-0.

<b>Item #13</b>	<b>CITY MANAGER’S REPORT</b>
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City Manager Devich discussed the 77<sup>th</sup> Street Underpass bill in the Legislature.

<b>Item #14</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Fitzhenry, S/Sandahl that the following claims and payrolls be approved:

<b>U.S. Bank</b>		<b>02/11/14</b>
A/P Checks: 288438-228865	\$	1,866,529.57
Payroll: 98854-99182	\$	585,740.17
TOTAL	\$	2,452,269.74

Motion carried 5-0.

**OPEN FORUM**

None.

<b>Item #15</b>	<b>SPECIAL CITY COUNCIL CLOSED EXECUTIVE SESSION IN THE BABCOCK CONFERENCE ROOM REGARDING THE CITY MANAGER ANNUAL PERFORMANCE EVALUATION</b>
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City Attorney Tietjen stated the City Council has the authority pursuant to State Statute to go into Closed Session to conduct the City Manager's annual performance evaluation.

The City Council adjourned to the Closed Executive Session at 8:15 p.m.

The City Council Closed Executive Session was called to order by Mayor Goettel in the Babcock Conference Room at 8:16 p.m.

*Members Present:* Debbie Goettel, Mayor; Sue Sandahl; Tom Fitzhenry; Edwina Garcia, and Pat Elliott.

*Staff Present:* Steven L. Devich, City Manager.

The Closed Executive Session was convened pursuant to M.S. 13D.05

The Closed Executive Session was adjourned by unanimous consent in the Babcock Conference Room at 9:00 p.m.

<b>Item #16</b>	<b>RECONVENE REGULAR CITY COUNCIL MEETING IN COUNCIL CHAMBERS</b>
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The meeting was called to order by Mayor Goettel in the Council Chambers at 9:02 p.m.

<b>Item #17</b>	<b>SUMMARY REPORT OF THE CITY MANAGER ANNUAL PERFORMANCE EVALUATION FOR 2013 AND CONSIDERATION OF A RESOLUTION AMENDING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF RICHFIELD AND CITY MANAGER STEVEN L. DEVICH FOR 2014 S.R NO. 47</b>
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Mayor Goettel presented Staff Report No. 47.

The City Council provided a summary of the City Manager's annual performance evaluation.

M/Goettel, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10917

RESOLUTION AMENDING THE EMPLOYMENT AGREEMENT  
BETWEEN THE CITY OF RICHFIELD AND STEVEN L. DEVICH, CITY MANAGER

Motion carried 5-0. This resolution appears as Resolution No. 10917.

<b>ADJOURNMENT</b>
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The City Council meeting was adjourned by unanimous consent at 9:10 p.m.

Date Approved: February 25, 2014

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Debbie Goettel  
Mayor

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Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager